

PRECEDENTIAL

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 04-4080

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IN RE: OWENS CORNING, a Delaware Corporation

CREDIT SUISSE FIRST BOSTON, as Agent for the  
prepetition bank lenders,

Appellant

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On Appeal from the United States District Court  
for the District of Delaware  
(D.C. Civil Action No. 00-cv-03837)  
District Judge: Honorable John P. Fullam

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Argued February 7, 2005

Before: ROTH, AMBRO and FUENTES, Circuit Judges

(Opinion filed August 15, 2005)

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### **ORDER AMENDING PUBLISHED OPINION**

AMBRO, *Circuit Judge*

IT IS NOW ORDERED that the published Opinion in the above case filed August 15, 2005, be amended as follows:

On page 19, in the sixth line of the first full paragraph, delete the quotation marks and quoted phrase “[a] four-day evidentiary hearing . . . was held by [his] predecessor, Judge Wolin,”. Insert in its place the clause “a thirteen-day evidentiary hearing was held by Judge Wolin” (with no surrounding quotation marks). The new sentence should read

In this case, for example, Judge Fullam reached his decision after a thirteen-day evidentiary hearing was held by Judge Wolin, and after Judge Fullam reviewed “the transcript of the

testimony, and . . . the voluminous documentary record compiled in the course of the hearing, and [had] the benefit of post-trial briefing and argument.”

On page 47, delete the following sentence “See, e.g., Lynn M. LoPucki, The Myth of the Residual Owner, 16 n.50 (2004), [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=401160](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=401160). ”.

On page 48, starting on the fifth line down, replace “In re World Access, 301 B.R. at 279.” with “Id.”

On page 51, at the beginning of the last sentence in the last full paragraph, replace the word “It” with “Moreover, it”.

By the Court,

/s/ Thomas L. Ambro, Circuit Judge

Dated: August 23, 2005